

Honorable Tana Lin

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

BENJAMIN G. MCDONALD and  
KATHERINE F. MCDONALD, husband and  
wife,

Plaintiffs,

vs.

SAFEWAY, INC.; SAFEWAY STORES INC.  
#1503; SAFEWAY FUEL CENTER #1503;  
JOHN DOE CORPORATIONS OR  
PARTNERSHIPS 1-3; "JANE DOE"  
GENERAL MANAGER and "JOHN DOE"  
GENERAL MANAGER; "JANE DOE"  
ASSISTANT MANAGER and "JOHN DOE"  
ASSISTANT MANAGER, wife and husband;  
and "JOHN DOE" EMPLOYEES 1-5",

Defendants.

No. 3:21-CV-05219-TL

ORDER REGARDING MOTION TO  
AMEND THE COMPLAINT AND  
REMAND TO STATE COURT

This matter is before the Court upon a stipulated motion of the parties (the “Stipulated Motion”) (Dkt. No. 18) seeking an order to allow Plaintiffs to amend the complaint to join a party and remand this case to Thurston County Superior Court, Case No. 21-2-00262-34. The

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1 Court has reviewed the Stipulated Motion. The Court notes that the proposed amended  
2 complaint, attached to the Stipulated Motion (Dkt. No. 18-1), fails to conform to the  
3 requirements under Local Civil Rule 15, but the Court will excuse the oversight on this occasion  
4 given the parties' stipulated request for a remand to state court.

5 Based on this, the Court finds that an amendment of the complaint to join a party and  
6 remand to Thurston County Superior Court, Case No. 21-2-00262-34 is proper, and it is hereby

7 ORDERED:

8 (1) **Within fourteen (14) days of this Order**, Plaintiffs shall file an amended complaint,  
9 as attached to the Cox Declaration (Dkt. No. 19), adding a party and claims against  
10 Quality Parking Lot Services LLC, a Washington corporation.

11 (2) Upon filing of the amended complaint, the Clerk is directed to REMAND this case to  
12 Thurston County Superior Court, Cause No. 21-2-00262-34.

13 IT IS SO ORDERED.

14 Dated this 1st of February 2022.

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17 Tana Lin  
18 United States District Judge  
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